



# ***COMMITTEE of the WHOLE***

## ***CITY COUNCIL***

**MINUTES**  
**July 5 2011**  
**5:00 P.M.**

### **COUNCIL MEMBERS PRESENT:**

S. Marmarou, M. Goodman-Hinnershitz, D. Reed, J. Waltman, D. Sterner

### **OTHERS PRESENT:**

L. Kelleher, S. Katzenmoyer, F. Denbowski, C. Geffken, D. Kersley, K. Kulp, E. Weiss, S. Haver, T. Butler, T. McMahon, R. Natale

Mr. Waltman called the Committee of the Whole meeting to order at 5:12 p.m.

### **I. Certificate of Transfer**

Mr. Weiss explained that Council staff identified 1,574 property transfers during 2010 that were lacking various permits. He stated that this is an extraordinary number and enforcement by Property Maintenance is very time consuming. He stated that this is an inefficient way to identify rental properties. The Certificate of Transfer process is meant to preempt the need for such extensive research and enforcement.

Mr. Weiss explained that the recordation of the deed cannot be delayed by the lack of a Certificate of Transfer but that the Recorder of Deeds has agreed to immediately notify the City when deeds are recorded without the Certificate of Transfer so enforcement can begin. The Certificate of Transfer will include items such as a health and safety inspection, the solid waste certification, the water certification, zoning district identification, licenses and permits.

Mr. Weiss stated that most buyers are not complying with the need for a post-sale inspection. He stated that using the pre-sale inspection is not unusual. He explained that this process will not stop unauthorized uses but will greatly decrease enforcement after the fact. He stated that he has met with the Reading Berks Association of Realtors and they are very supportive of

moving in this direction. He stated that these realtors have begun policing their own to prepare them for the Certificate of Transfer process. Most transactions are done through the assistance of a realtor and their cooperation is critical. The inspection will be scheduled within five days of notification that the property has been listed for sale and will not impede the real estate market.

Mr. Acosta arrived at this time.

Mr. Weiss explained that the inspection will focus on 14 items which are health and safety related. He stated that he has made the promise that the fee for the inspection will not become a cash cow for the City and that it will be adjusted annually to represent the real cost to the City. A flow chart showing the process was distributed to Council. It was explained that if a significant amount of work needs to be performed on a property that the potential buyer can sign a rehabilitation agreement to ensure that the work is completed within six months of purchase.

Mr. Marmarou noted the poor condition of some properties. He questioned if the buyer would be informed of pending codes issues at the property. Mr. Weiss stated that he is not familiar enough with realty law to answer that question but noted that transfer of the property would not stop the progress of pending citations.

Mr. Waltman stated that he has not yet reviewed the entire ordinance. He agreed that it was important for the realtors to support this initiative. He questioned if re-inspection was included in the fee if issues are found. Mr. Weiss explained that one re-inspection is included in the fee. There is an additional fee if multiple re-inspections are necessary.

Mr. Waltman questioned if any group was not in favor of this initiative. Mr. Weiss stated that the Real Estate Investors Association had one concern – the fee. He stated that this group has very strong opinions and that additional meetings with this group are needed.

Mr. Waltman questioned outstanding utilities. Ms. Kelleher explained that if a realtor and title company are assisting with the transaction, the outstanding utilities are paid at settlement. Mr. Weiss stated that outstanding utilities stay with the property and then become the responsibility of the new owner.

Mr. Waltman questioned if there was a penalty for not following the certification process. Mr. Weiss explained that the property would be inspected after notification by the Recorder of Deeds and problems found would become the responsibility of the buyer. He stated that the buyer must pursue legal actions against the seller to recoup costs.

Mr. Waltman questioned if the City had the operational capacity to begin this program. He questioned if there was confidence that Property Maintenance can manage the program. Mr. Weiss stated that the process needs to be built into Hansen for automation. He noted that two

(2) Property Maintenance Inspectors and one (1) Fire Inspector are needed to perform the inspections. There is currently no one available in the Fire Department to perform the additional inspections.

Mr. Waltman stated that the rental housing process is also being studied and he questioned if beginning both programs would be too much to handle. Mr. Weiss explained that Property Maintenance will have two inspectors do nothing but certificate inspections. He stated that the computer system will automate the process. The staff will know their expectations.

Ms. Goodman-Hinnershitz noted the need for an implementation plan and suggested that the ordinance be amended to include that the implementation will be reviewed in six months and an update provided to Council.

Mr. Sterner explained that Council is nervous about implementing housing strategies as there have been past failures. He noted that he is surer that the program will be successful this time. Mr. Weiss agreed and noted the need for this program to succeed.

Mr. McMahon stated that the list of items to be reviewed during the inspection is reasonable and that this program will greatly assist in the rehabilitation of the housing stock.

Ms. Reed stated that the City will soon be entering budget season and noted that personnel cuts are probable. She stated that Council must consider this program when working on the budget. Mr. Weiss stated that the program should be revenue neutral as the fee should cover the entire cost of the program, including personnel. He stated that this is a fee for a service and that City staff is carefully considering the program and he expressed his confidence that the program can work.

Mr. Acosta noted that cuts are a budget reality. He noted the need to hire fire personnel for the program and questioned what that salary would be. Mr. Weiss stated that he did not have a firm salary number but that the fee has been calculated on costs. He stated that the number of inspectors should be adjusted to the real estate market – fewer people when the market is slow and vice versa.

Mr. Acosta noted the need to plan for the cost of the increased personnel.

Mr. Acosta questioned if title companies were contacted regarding this process. He stated that delays can cost the banking industry as well. He stated that he can arrange a settlement in as little as three days and noted the five day notice for the inspection. Mr. Weiss stated that he met with the Bankers Association and that they were not concerned with the five day time period. He stated that the ordinance can be amended to add that if the City does not respond, the inspection is deemed approved. He emphasized that settlement cannot be delayed. He clarified that the buyer or the real estate agent should be contacting the City as soon as the

property is placed on the market. Ms. Kelleher explained that if the seller does not request the certificate the buyer must follow through after the purchase.

Ms. Goodman-Hinnershitz suggested adding a new section five to require quarterly status reports to Council. She noted that the ordinance also reads that it will become effective in ten days and that the effective date should be changed to reflect when the program is ready to be implemented. She stated that the City cannot lose credibility again.

Mr. McMahon stated that a home can be on the market for extended periods of time and questioned the validity of an inspection over this extended time. Ms. Kelleher stated that section 305 number 6 addresses this and stated that the 24 month time period was based on input from the realtors.

Mr. Waltman stated that housing has many moving parts and requested a Committee of the Whole to focus on housing issues overall. He noted the need for the City's housing policies to address all neighborhoods.

Mr. Acosta questioned when Hansen would be updated for this initiative. Mr. Kersley stated that staff is working to turn manual processes into automated processes. He stated that he does not have a firm date at this time but staff is aware of what needs to be done.

Ms. Kelleher reminded Council that the City was successful with its former pre-settlement inspections but that Council repealed it after referendum was threatened.

Mr. Acosta stated that some buyers are requesting inspections now.

Council adjourned to Public Safety and Administrative Oversight Committees at 6 pm.

Council reconvened as Committee of the Whole at 6:30 pm.

## **II. Update from Olivet**

Mr. DeGroote, Mr. Smith, and Mr. Olsen joined the meeting.

- 11<sup>th</sup> & Pike

Mr. Smith stated that Olivet is embracing its partnership with the City and is experienced and excited to move forward with programming at 11<sup>th</sup> & Pike playground. He stated that many in the County have given financial support to Olivet to ensure that summer programming continues in the City.

Mr. DeGroote described his past experience with City recreation and stated that this feels like a homecoming for him. He stated that in four days Olivet has hired three leaders and one

supervisor to work at 11<sup>th</sup> & Pike. He stated that Matt Lubas and Heather Boyer have been very helpful. The program will begin on July 6 and will be held Monday through Friday from noon – 5 pm. He stated that programming will include field games, arts and crafts, indoor gym and game room events. He stated that the City has a rich history in recreation and noted the need for more playground associations.

Ms. Goodman-Hinnershitz questioned the funding of the program. Mr. DeGroote stated that donors approached Olivet which negated the need for Olivet to solicit donations. He explained that the program will run for 5 1/2 weeks and that he worked with Mr. Lubas and Ms. Boyer to select the time of the program.

Mr. Marmarou suggested that this would be a good time to build a playground association at 11<sup>th</sup> & Pike. Mr. DeGroote agreed and stated that he would love for families to adopt their neighborhood parks and become more active in the neighborhoods. He commended John Gilmore for his work with the Gilmore Henne Foundation.

Mr. Marmarou noted the need for more people to be involved. Mr. Smith stated that Olivet will also be doing community outreach. Mr. DeGroote noted the need for parent driven organizations.

Ms. Goodman-Hinnershitz thanked the City and the Reading Eagle for communicating the needs to the public. She noted the need for partnerships. Mr. DeGroote stated that the kids need fun activities.

Mr. Waltman agreed that recreation is critical. Mr. DeGroote invited all to visit the program.

Mr. Waltman noted the importance of having playgrounds and open spaces. He stated that this shows the youth that adults care about them and can be positive role models.

Ms. Goodman-Hinnershitz suggested that 11<sup>th</sup> & Pike work with Pendora to hold a Lantern Parade.

- Pendora Park

Mr. Olsen stated that Olivet has proposed a new building at Pendora Park. He stated that Olivet programs follow a very specific model and that the Oakbrook facility was used as a foundation. He explained that the current Olivet site in East Reading is no longer feasible. The Oakbrook facility is approximately 14,000 square feet including administrative offices. The proposed design for Pendora Park would be approximately 12,000 square feet.

Mr. Olsen explained that he visited the park and stated that the building would not fit appropriately as an addition to the current field house, noting that the field house is in very good condition. He suggested building along the S 19<sup>th</sup> St side of the park at the site of the

current large pavilion. The building would be one story and would follow the bluff area. The design includes 40 parking spaces, 20 on each side of the building. The building would include a patio area where club members can observe games on the baseball field. The buildings would be made of steel frame and all mechanicals would be inside. The design uses much natural light. The foot print of the buildings would be 60' X 105' X 18' and 60' X 105' X 28'.

Ms. Goodman-Hinnershitz explained that she held a community meeting at which it was clearly voiced that neighbors did not want the City to lose control of the baseball field, residents wanted continued free use of the park and for the current fieldhouse to remain. She stated that the City would lease a portion of the park to Olivet. She stated that Mr. Younger has addressed the deed restrictions and that this use would be allowed. She stated that she will be holding another meeting in late July to update the neighborhood. She noted the need to continue dialog as this is a major change to the park and to the neighborhood.

Mr. Marmarou questioned who would maintain the baseball field. Mr. McMahon stated that the City would continue to maintain the baseball field.

Mr. Marmarou stated that Pendora Park is very marshy and questioned if this was taken into consideration. Mr. Olsen stated that it was and that the bluff area is the highest point of the park. He stated that test boring would be performed to ensure there would be no problems and that the site he has chosen would be the least intrusive to the rest of the park.

Mr. Sterner questioned who would maintain the current fieldhouse. Mr. McMahon stated that the City would maintain this building and encouraged the soon to be formed Recreation Commission to use it for programming. Mr. Olsen stated that the building needs upgrades to the rest room area but that the building is very sound. He stated that the multi-purpose room with the two large fireplaces is awesome and that these types of buildings are not seen much anymore. Ms. Goodman-Hinnershitz explained that the stone taken from the City prison was used to build the fieldhouse.

Mr. Waltman voiced his support of the project. He stated that he liked the large windows to allow the park into the building. He stated that if the need is there that the project should move forward. Mr. DeGroote noted his hope that Olivet would partner with the Recreation Commission.

Ms. Reed stated that she thinks this is a great idea.

Ms. Goodman-Hinnershitz expressed hope that the City would purchase the land across S 19<sup>th</sup> St to add to Pendora Park. She questioned if any large trees would be removed during the building process. Mr. Olsen stated that several trees would be removed but that most would be trimmed and would remain.

Ms. Reed questioned replacing the pavilion. She also questioned if the play area in front of the pavilion would be lost. Mr. Olsen stated that the play area would remain and that the pavilion could be dismantled and relocated.

Mr. McMahon noted the continued problems with baseball players parking on S 18<sup>th</sup> St and suggested that this project include additional parking. Ms. Goodman-Hinnershitz explained that the City has already added parking but the players don't use it.

The meeting adjourned at 7:12 pm.

Respectfully Submitted  
*Linda A. Kelleher*, CMC  
City Clerk